

## REMARKS

In the first Office Action, mailed 6-7-04, Claims 1-5, and 7 were rejected under 35 USC § 103(a) as being unpatentable over Cornelius et al (US Pub. No. 2003/0165136) in view of Jade et al (US Pat. No. 5,944,823), and further in view of Berg et al (US Pat. No. 6,674,713). Claim 6 is rejected under 35 USC § 103(a) as being unpatentable over Cornelius in view of Jade, Berg, and further in view of Fan et al (US Pat. No. 6,219,706). Claims 8-9 and 12-18 were rejected under 35 USC § 103(a) as being unpatentable over Jade et al (US Pat. No. 5,944,823), in view of Cornelius et al (US Pub. No. 2003/0165136). Claims 10-11 were rejected under 35 USC § 103(a) as being unpatentable over Jade et al (US Pat. No. 5,944,823), in view of Cornelius et al (US Pub. No. 2003/0165136) and further in view of Berg et al (US Pat. No. 6,674,713). Claims 19-20 were rejected under 35 USC § 103(a) as being unpatentable over Jade et al (US Pat. No. 5,944,823), in view of Cornelius et al (US Pub. No. 2003/0165136).

In the second, Final Action, mailed 1-4-05, all rejections made in the First Action were affirmed in light of applicant's response, and rejection was made Final.

Applicants changed representation, upon which they more clearly understood the basis of the arguments made by the examiner in light of the meaning of a 35 USC 103 rejection based on combined references.

The Examiner graciously granted a Telephone Interview after Final Rejection to allow applicants an opportunity to present arguments more responsive to the 103 rejection. Applicants are aware that the Interview was granted as a courtesy, and are accordingly grateful to be allowed to present new arguments.

The interview was held on May 2 at 2:00 pm EST with the Examiner, Beemnet Dada; Inventors, Steven Boyle and Debra Kirchhoff; and Inventor's representative, Mark Rodgers in attendance.

Agreement, subject to approval by Examiner's supervisor, was reached on the following points:

- 1) Applicant's application discloses a capability whereby any user behind a firewall may register information with an external manager. The user will be able to communicate directly (UDP) with any other user, also possibly behind a firewall, who also registers with the external manager. The communication between the users is brokered by the external manager such that the following are achieved:
  - a) The registered users need no prior knowledge or firewall access relative to any other user, thus any registered user can be accessed at any time.
  - b) The respective firewalls are only opened for the duration of communication brokered by the external manager, and no permanent access through any firewall is granted.
  - c) The disclosed capability is necessary to achieve internet based voice communication which achieves the same flexibility as normal telephone service while maintaining firewall integrity.
- 2) The cited combination of Jade and Cornelius can be construed as teaching direct (UDP) communication between previously known users. However the combination does not provide dynamic firewall opening between users who are not previously known to each other. Jade/Cornelius teach permanent access to a set group of known entities, i.e. the user provides information to a component of its internal network, whereby the information specifies exactly which others communication is allowed with. Applicants teach temporary access to any entity registered with the external manager, ie the user provides information about itself to an independent third party. Thus the Jade/Cornelius combination teaches away from the result achieved by the Applicants.
- 3) Although Jade/Cornelius do not teach an equivalent capability to that disclosed by Applicants, Applicant's claims as originally written do not include the key concept of registering information about oneself with the external manager in the broadest claims.

4) The Examiner agreed to accept an Amendment after Final Rejection, which incorporates the registration concept into the broadest claims.

Accordingly, independent claims 1, 8 and 19 are amended to include the limitation of providing information to an external manager or third party, who uses that information to dynamically open firewalls in order to enable communication between two users, one or both of whom may be behind a firewall. Claim 3 is canceled.

In light of the provisional agreement reached in the Telephone Interview, Claims 1, 8 and 19 should now be in condition for allowance.

The remaining claims 2, 4-7, 9-8, and 20, are amended only as necessary for consistency with the amended independent claims. As these claims are narrower in scope than the independent claims, they should also be in condition for allowance.

In light of the preceding remarks and amendments we respectfully request that the subject application be allowed in Currently Amended form.

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Respectfully Submitted,



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